



Homeland
Security

July 25, 2013

SENT VIA EMAIL TO: 5026-95682723@REQUEST.MUCKROCK.COM

Michael Morisy
PO Box 55819
Boston, MA 02205-5819

Re: **2013-HQFO-00840**

Dear Mr. Morisy:

This is a response to your Freedom of Information Act (FOIA) to U.S. Citizenship and Immigration Services (USCIS) and U.S. Immigration and Customs Enforcement (ICE). On July 23, 2013, your request was referred to the Department of Homeland Security (DHS) for review, processing and direct response to you. You also submitted your request directly to this office on July 23, 2013. You have requested a copy of any immigration files, complaints, investigations, or other documentation on Tamerlan Tsarnaev, born October 21, 1986 and killed April 19, 2013

Your request has been processed under the provisions of the FOIA, 5 U.S.C. § 552. I have determined that the records you have requested are part of an open and ongoing law enforcement investigation. Accordingly, those documents are being withheld pursuant to Exemption 7(A) of the FOIA as described below.

FOIA Exemption 7(A) protects from disclosure records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. I have determined that the information you are seeking relates to an ongoing criminal law enforcement investigation. Therefore, I am withholding all records, documents, and/or other material, which if disclosed prior to the completion of the investigation, could reasonably be expected to interfere with law enforcement proceedings and final agency actions related to those proceedings. Please be advised that once all pending matters are resolved and FOIA Exemption 7(A) is no longer applicable, there may be other exemptions which could protect certain information from disclosure, such as FOIA Exemptions 3, 5, 6, 7(B), 7(C), 7(D), 7(E), and/or 7(F).

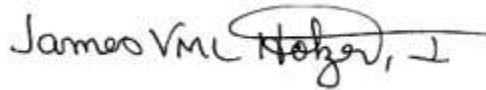
You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), Mailstop 0655, U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Provisions of FOIA allow DHS to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact our office again about this matter, please refer to **2013-HQFO-00840**. This office can be reached at 1-866-431-0486 or 202-343-1743.

Sincerely,

A handwritten signature in dark ink that reads "James VML Holzer, J." The signature is written in a cursive style with a large, stylized "H" and a long horizontal line extending to the right.

James Holzer
Sr. Director, FOIA Operations